

Honorable Rosanna M. Peterson

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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

LISA ORVIS, a single woman and
others similarly situated,

Plaintiff,

vs.

SPOKANE COUNTY, a municipal
corporation,

Defendant.

No. CV-10-424-RMP

[PROPOSED] ORDER
GRANTING JOINT MOTION
FOR FINAL APPROVAL OF
PROPOSED CLASS ACTION
SETTLEMENT, INCENTIVE
AWARDS AND ATTORNEYS'
FEES AND COSTS

THIS MATTER having come before the Court for hearing, pursuant to the Order of this Court, dated March 21, 2012, on the application of the *Settling Parties* for approval of the settlement set forth in the *Class Action Settlement Agreement* dated as of February, 13, 2012 (the "*Settlement Agreement*" or the "*Agreement*"), and due and adequate notice having been given to the *Settlement*

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1 *Class* (as defined in the *Agreement*) as required in said Order, and the Court
2 having considered all papers filed and proceeding had herein and otherwise being
3 fully informed in the premises and good cause appearing therefore, IT IS
4
5 HEREBY ORDERED, ADJUDGED AND DECREED that:

6 1. This Order incorporates by reference the definitions in the
7 *Agreement*, and all italicized terms herein shall have the same meanings as set
8 forth in the *Agreement*.
9

10 2. This Court has jurisdiction over the subject matter of this action and
11 over all members of the *Settlement Class*.

12 3. The notice given to *Class Members* and the other matters set forth in
13 the *Agreement* was the best notice practicable under the circumstances, including:
14 (i) individual *Mailed Notice* to all *Class Members* who could be identified
15 through reasonable effort based upon Spokane County records, and Advanced
16 Address Searches for *Class Members* whose *Mailed Notice* was returned as
17 undeliverable; and (ii) *Publication Notice* twice in the *Spokesman Review*. Said
18 notice provided due and adequate notice of these proceedings and of the matters
19 set forth in the *Agreement*, including the proposed *Settlement*, to all persons
20 entitled to such notice, and said notice fully satisfied the requirements of Rule 23
21 of the Federal Rules of Civil Procedure and due process.
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1 4. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, this
2 Court hereby approves the *Settlement* as set forth in the *Agreement* and the
3 proposed *Plan of Allocation* as set forth in the *Mailed Notice*. The Court finds that
4 said *Settlement* and the *Plan of Allocation* are, in all respects, fair, reasonable and
5 adequate with respect to the *Settlement Class*, and directs that the *Settlement* be
6 consummated in accordance with the terms and conditions set forth in the
7 *Agreement* and the *Plan of Allocation*. The Court hereby Orders, Adjudges and
8 Decrees that the *Settlement Agreement* is binding on the *Named Plaintiff*, the
9 *Settlement Class*, and the *Defendant* according to its terms.
10

11
12 5. *Class Counsel* are hereby awarded, from the *Settlement Amount*,
13 attorneys' fees in the amount of \$_____, and the
14 reimbursement of their expenses in the amount of _____. Both
15 amounts are to be paid in accordance with the terms and conditions of the
16 *Agreement*.
17
18

19 6. The Court has considered the request that it award an *Incentive*
20 *Award* to the *Named Plaintiff* in this action. The Court grants/denies the request.
21 Accordingly, the Court _____
22 _____
23

_____. Any such *Incentive Award* shall be paid in accordance with the terms and conditions of the *Agreement*.

7. The Court hereby dismisses this action in its entirety as to *Defendant*, Spokane County, with prejudice and without costs (except as otherwise provided in the *Agreement*).

8. This Order is a final judgment in the action as to all claims among the *Defendant*, on the one hand, and the *Named Plaintiff* and all *Class Members*, on the other.

9. Without further order of the Court, the parties may agree to reasonable extensions of time to carry out any of the provisions of the *Agreement*.

IT IS SO ORDERED.

Dated this _____ day of _____, 2012.

HON. ROSANNA MALOUF PETERSON
UNITED STATES DISTRICT JUDGE

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